

GOLDSTEIN ISAACSON, PC
Andrew J. Goldstein (AG-1750)
100 Morris Avenue, 3rd Floor
Springfield, New Jersey 07081
Telephone No. (973) 258-0500
Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Lakeland Bank, a New Jersey Charter
State Bank, with its principal place of
business at 250 Oak Ridge Road,
Oak Ridge, New Jersey 07438,

Plaintiff,

-vs-

TAYLOR BABY in rem,
EDWIN RYBACKI, in personam,
RITA RYBACKI, in personam, and
MARC RYBACKI, in personam

Defendants.

Civil Action No. 07-CIV-6823

**REQUEST FOR ENTRY
OF DEFAULT AGAINST EDWIN
AND RITA RYBACKI, IN PERSONAM**

The Summons and Complaint were served upon the defendants Edwin and Rita Rybacki, by a process server on October 17, 2007. (See proof of service and letter to defendants giving further notice of action pending, annexed hereto). No extension of time has been granted or responsive pleading received.

WHEREFORE, it is requested that default be hereby entered against the defendants, Edwin and Rita Rybacki, in personam, with costs and attorney fees.


ANDREW J. GOLDSTEIN, ESQ.

Dated: 01/03, 2008

District COURT OF THE S E/CITY OF NEW YORK
 COUNTY OF: SOUTHERN NY ATTORNEY: ANDREW J. GOLDSTEIN, ESQ.



LAKELAND BANK
 - against -
 TAYLOR BABY, ET AL

Petitioner(s)
 Plaintiff(s)
 Respondent(s)
 Defendant(s)

AFFIDAVIT
 OF SERVICE

INDEX#
 07 CIV 6823

STATE OF: NEW JERSEY - COUNTY OF: UNION ss:

MALGORZATA SLADEK, being duly sworn deposes and says deponent is not a party to this action, is over the age of 18 and resides in NY
 That on date/time: 10/17/2007 08:00PM, at 2848 LINDALE STREET WANTAGH NY
 deponent served the within: SUMMONS AND COMPLAINT, WARRANT FOR ARREST

[] Summons, Spanish summons & complaint, the language required by NRCRR 2900.2(e), (f) & (h) was set forth on the face of the summons(es)

On: RITA RYBACKI

[X] Defendant [] Respondent [] Witness (hereinafter called the recipient) therein named.

INDIVIDUAL
 A []
 ARREST

By personally delivering to and leaving with said RITA RYBACKI
 and that he knew the person so served to be the person mention and described in said SUMMONS AND COMPLAINT, WARRANT FOR

CORPORATION
 B []

By delivering to and leaving with _____
 at _____

and that he knew the person so served to be the SON _____ of the corporation.

SUITABLE
 AGE PERSON
 C [X]

Service was made in the following manner after your deponent was unable with due diligence to serve the defendant in person:
 By delivering a true copy thereof to and leaving with MARC RYBACKI

a person of suitable age and discretion at 2848 LINDALE STREET WANTAGH NY
 the said premises being the recipient's [X] Dwelling/Usual place of abode [] Actual place of business within the State of New York.

AFFIXING TO
 DOOR, ETC.
 D []

By affixing a true copy thereof to the door of said premises, the same being the recipient's
 [X] Dwelling/Usual place of abode [] Actual place of business within the State of New York. Deponent had previously attempted to serve
 the above named recipient on/at: 1. 09/10/2007 07:40PM 2. _____ 3. _____
 Deponent spoke with _____ who stated to deponent that the said recipient(s)
 lived at the aforementioned address, but did not know recipient's place of employment.

MAILING TO
 RESIDENCE
 E [X]

Use with C or D

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient
 to recipient's last known residence at 2848 LINDALE STREET WANTAGH NY
 and deposited said envelope in an official repository under the exclusive care and custody of the US Postal Service
 within New York State on 10/17/2007

MAILING TO
 BUSINESS
 E2 []

Use with C or D

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient
 to recipient's actual place of business at _____
 in an official repository under the exclusive care and custody of the US Postal Service within New York State. The envelope bore the
 legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication
 was from an attorney or concerned an action against the recipient and mailed on 10/17/2007

F [X]

DEPONENT STATES THAT THE INDEX # AND FILING DATE WERE CLEARLY VISIBLE ON THE SUMMONS.
 DESCRIPTION OF THE RECIPIENT OR OTHER PERSON SERVED OR SPOKEN TO ON BEHALF OF THE RECIPIENT IS AS:

VOID WITHOUT
 DESCRIPTION
 Use with A,B,C,D

[X] Male	[X] White Skin	[X] Black Hair	[] White Hair	[] 14 - 20 Yrs.	[] Under 5'	[] Under 100 Lbs.
[] Female	[] Black Skin	[] Brown Hair	[] Balding	[] 21 - 35 Yrs.	[] 5'0" - 5'3"	[] 100 - 130 Lbs.
	[] Yellow Skin	[] Blonde Hair	[] Moustache	[X] 36 - 50 Yrs.	[] 5'4" - 5'8"	[] 131 - 160 Lbs.
	[] Brown Skin	[] Gray Hair	[] Beard	[] 51 - 65 Yrs.	[X] 5'9" - 6'0"	[X] 161 - 200 Lbs.
	[] Red Skin	[] Red Hair	[] Glasses	[] Over 65 Yrs.	[] Over 6'	[] Over 200 Lbs.

Other identifying features: _____

WITNESS FEE
 G []

Witness fee of \$0 the authorizing traveling expenses and one day's witness fee:
 [] was paid (tendered) to the recipient [] was mailed to the witness with subpoena copy.

MILITARY
 SERVICE
 [X]

I asked the person spoken to whether defendant was in active military service of the United States or of the state of New York in any
 capacity whatsoever and received a negative reply. Defendant wore civilian clothes and no military uniform. The source of my
 information and the grounds of my belief are the conversations and observations above narrated.

Subscribed and Sworn to me this

17 day of October, 2007

Notary Signature: _____

JANIRA SANTIAGO VELEZ

NOTARY PUBLIC OF NEW JERSEY

My Commission Expires April 24, 2012

Name of Notary

I, MALGORZATA SLADEK,
 was at the time of service a competent adult
 not having a direct interest in the litigation.
 I declare under penalty of perjury that the
 foregoing is true and correct.

Signature of Process Server

10/17/2007
 Date

RR

FG

JUSTICE COURT OF THE S E/CITY OF NEW YORK
COUNTY OF: SOUTHERN NY ATTORNEY: ANDREW J. GOLDSTEIN, ESQ.



LAKELAND BANK
- against -
TAYLOR BABY, ET AL

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That on date/time: 10/17/2007 08:00PM, at 2848 LINDALE STREET WANTAGH NY
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[] Summons, Spanish summons & complaint, the language required by NRCRR 2900.2(e), (f) & (h) was set forth on the face of the summons(es)

On: EDWIN RYBACKI

☒ Defendant [] Respondent [] Witness (hereinafter called the recipient) therein named.

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ARREST

By personally delivering to and leaving with said EDWIN RYBACKI
and that he knew the person so served to be the person mention and described in said SUMMONS AND COMPLAINT, WARRANT FOR

CORPORATION

B []

By delivering to and leaving with _____
at _____
and that he knew the person so served to be the SON of the corporation.

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AGE PERSON**

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Service was made in the following manner after your deponent was unable with due diligence to serve the defendant in person:
By delivering a true copy thereof to and leaving with MARC RYBACKI
a person of suitable age and discretion at 2848 LINDALE STREET WANTAGH NY
the said premises being the recipient's [X] Dwelling/Usual place of abode [] Actual place of business within the State of New York.

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By affixing a true copy thereof to the door of said premises, the same being the recipient's
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lived at the aforementioned address, but did not know recipient's place of employment.

**MAILING TO
RESIDENCE**

E1 []

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Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient
to recipient's last known residence at _____
and deposited said envelope in an official repository under the exclusive care and custody of the US Postal Service
within New York State on 10/17/2007.

**MAILING TO
BUSINESS**

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legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication
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F [X]

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Witness fee of \$0 the authorizing traveling expenses and one day's witness fee:
[] was paid (tendered) to the recipient [] was mailed to the witness with subpoena copy.

**MILITARY
SERVICE**

[X]

I asked the person spoken to whether defendant was in active military service of the United States or of the state of New York in any
capacity whatsoever and received a negative reply. Defendant wore civilian clothes and no military uniform. The source of my
information and the grounds of my belief are the conversations and observations above narrated.

Subscribed and Sworn to me this

17 day of October, 2007

Notary Signature: JANIRA SANTIAGO VELEZ

Name of Notary: NOTARY PUBLIC OF NEW JERSEY
My Commission Expires April 24, 2012

I, MALGORZATA SLADEK,

was at the time of service a competent adult
not having a direct interest in the litigation.
I declare under penalty of perjury that the
foregoing is true and correct.

Signature of Process Server: [Signature] Date: 10/17/2007

MS 18

GOLDSTEIN ISAACSON, PC

ATTORNEYS AT LAW

100 MORRIS AVENUE

3rd FLOOR

SPRINGFIELD, NEW JERSEY 07081

WWW.GOLDISAAC.COM

TEL: (973) 258-0500

FAX: (973) 258-0707

October 30, 2007

Via Certified Mail and Regular Mail

Rita Rybacki
3248 Lindale Street
Wantagh, New York 11793

**Re: Lakeland Bank v. Edwin & Rita Rybacki, et als.
Civil Action No. 07-CIV-6823**


Dear Mrs. Rybacki:

The Summons with Complaint attached was served upon you or a member of your family by a process server on or about October 17, 2007. Your response is due on or before November 6, 2007.

Should you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,


ANDREW J. GOLDSTEIN

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none">Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.Print your name and address on the reverse so that we can return the card to you.Attach this card to the back of the mailpiece, or on the front if space permits.		<p>A. Signature </p> <p>B. Received by (Printed Name) M. Rybacki</p> <p>C. Date of Delivery 11-2-07</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
1. Article Addressed to: Rita Rybacki 3248 Lindale St. Wantagh, NY 11793		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merch <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
Article Number (Transfer from service label)		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

7002 2030 0007 1396 7647

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100 MORRIS AVENUE

3rd FLOOR

SPRINGFIELD, NEW JERSEY 07081

TEL: (973) 258-0500

FAX: (973) 258-0707

WWW.GOLDISAAC.COM

October 30, 2007

Via Certified Mail and Regular Mail

Edwin Rybacki
3248 Lindale Street
Wantagh, New York 11793

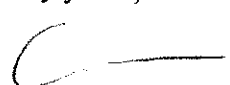
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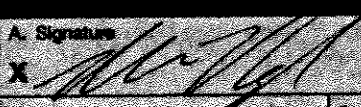

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<p>2. Article Number</p> <p>(Transfer from service label)</p> <p>7002 2030 0007 1396 7654</p>			